

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

TIMOTHY P. URBAN,

Plaintiff,

-vs-

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

:
: CASE NO. 1:13 CV 1136
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: MEMORANDUM OF OPINION AND
: ORDER ADOPTING THE
: MAGISTRATE JUDGE'S REPORT AND
: RECOMMENDATION AND
: REMANDING FOR FURTHER
: PROCEEDINGS

UNITED STATES DISTRICT JUDGE LESLEY WELLS

Plaintiff Timothy P. Urban challenges the Commissioner of Social Security's ("Commissioner") denial of his application for a Period of Disability ("POD") and Disability Insurance Benefits ("DIB"). (Docket No. 1, Complaint). This matter was automatically referred to United States Magistrate Judge Nancy A. Vecchiarelli for a Report and Recommendation ("R&R"), pursuant to Local Civil Rule 72.2(b). In her R&R, Magistrate Judge Vecchiarelli recommended this Court remand the case, because the Administrative Law Judge ("ALJ") erred when he failed to obtain vocational expert testimony to support a step five finding.

The Commissioner has filed a response to the R&R indicating that she would not

be filing any objections. (#16). The Court accordingly adopts Magistrate Judge Vecchiarelli's R&R in its entirety and remand to the Commissioner for further proceedings consistent with the R&R.

IT IS SO ORDERED.

/s/Lesley Wells
UNITED STATES DISTRICT JUDGE

Dated: 21 February 2014